08-17-04

RE/2865#

PTO/SB/30 (09-03)
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## Request

For

## Continued Examination (RCE) **Transmittal**

Address to: (Express Mail Label No. EL985153432US Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

a collection of information unless it	displays a valid OMB control number.
Application Number	09/316,651
Filing Date	May 21, 1999
Examiner Name	Michael P. Nghiem
First Named Inventor	Dr. Norm Faiola, Ph.D.
Art Unit	2863
Attorney Docket Number	270-109

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2

amendments enclosed with the	the RCE will be entered in the order in ave any previously filed unentered a	which	they we	re filed unless applica	nt instructs otherwise.						
	d. If a final Office action is outstand omission even if this box is not check		y amend	ments filed after the fi	nal Office action may be						
i. Consider the ar	i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on										
ii. 🔲 Other											
b. 🔀 Enclosed											
i. 🖂 Amendment/Re	• •	iii		mation Disclosure Sta							
ii. Affidavit(s)/ Dec	laration(s)	iv.	⊠ Oth	er <u>Resp. To Record Su</u>	sbstance of Interview						
2. Miscellaneous											
	on on the above-identified application on the above-identified application on the application shall not except the contract of the application of										
b.											
3. Fees The RCE fee under	37 CFR 1.17(e) is required by 37 CFR 1.	114 wh	en the RC	E is filed.							
a. The Director is here Deposit Account No	eby authorized to charge the following 50-0289	g fees,	or credi	any overpayments, to							
i. 🛛 RCE fee require	ed under 37 CFR 1.17(e)										
. =	e fee (37 CFR 1.136 and 1.17)										
	of \$180.00 enclosed.										
. =	nt of \$ 385.00 enclosed										
	card (Form PTO-2038 enclosed)  G: Information on this form may becon	ne publ	ic. Credit	card information shoul	ld not						
	luded on this form. Provide credit care										
SIG	NATURE OF APPLICANT, ATTOR	NEY, C	OR AGE	NT REQUIRED	\						
Name (Print /Type) George S. I	Blasiak	Regis	tration N	o. (Attorney/Agent)	37,283						
Signature	S & lev	Date		June 16, 2004							
	CERTIFICATE OF MAILING	OR TR	ANSMIS	SION							
	e is being deposited with the United States Commissioner for Patents, P.O. Box 145 e shown below.										
Name (Print /Type) Barbara A.	Saltsman ()	`									
Signature	aud attomor	Date	Jun	e 16, 2004							

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE	TR	AN	SMIT	TAL
	for	FY	2004	

Effective 10/01/03. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

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TOTAL AMOUNT OF PAYMENT

(\$) 950.00

	Complete if Known	
Application Number	09/316,651	
Filing Date	May 21, 1999	
First Named Inventor	Dr. Norm Faiola, Ph.D.	
Examiner Name	Michael P. Nghiem	
Group Art Unit	2863	_
Attorney Docket No.	270-109	

		METHO	OF PA	YMENT (check all that apply	)	.1			FE	E CALCULATION (continued)	
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Depo						Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Accor		50-	0289		1	1051	130	2051	(*) 65	Surcharge - late filing fee or oath	
Depo						1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
Acco		W	ali Mar	jama & Billnski LLP	1	1053	130	1053	130	Non-English specification	
			•	neck all that apply)		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) during the pendency of this application						1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		(s) indicated entified depo		except for the filing fee		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
			FEE	CALCULATION		1251	110	2251	55	Extension for reply within first month	
1. B	ASIC F	ILING FE	E			1252	420	2252	210	Extension for reply within second month	
Large I		Small Ent				1253	950	2253	475	Extension for reply within third month	
Fee	Fee			Fee Description		1254	1,480	2254	740	Extension for reply within fourth month	
	(\$)		(\$)	14000 - 600 - 6		1255	2,010	2255	1,005	Extension for reply within fifth month	
	770 340			Utility filing fee Design filing fee		1401	330	2401	165	Notice of Appeal	
7)	530			Plant filing fee		1402	330	2402	165	Filing a brief in support of an appeal	-
	770			Reissue filing fee		1403	290	2403	145	Request for oral hearing	<del> </del>
1005	160	2005	80	Provisional filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding	<b></b>
•			SI	JBTOTAL (1)		1 1452	110	2452	55	Petition to revive – unavoidable	
SUBTOTAL (1) (\$)					1453	1,330	2453	665	Petition to revive – unintentional		
2. EX	TRA C	LAIM FE	ES FO	R UTILITY AND REISSU	IE	1501	1,330	2501	665	Utility issue fee (or reissue)	
				Fees from		1502	480	2502	240	Design issue fee	
	1			a Claims below	Fee Paid	1503	640	2503	320	Plant issue fee	
Total C	laims	-20**	' = L	Y		1460	130	1460	130	Petitions to the Commissioner	-
ndepen	dent	-3*	_ [			1807	50	1807	50		
Claims			<sup>-</sup> L			1806				Processing fee under 37 CFR 1.17(q)	
Multiple Depend				x		1	180	1806	180	Submission of Information Disclosure Stmt	
Large I		Small E	ntity			8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1202	18	2202	9	Claims in excess of 20		1810	770	2810	385	For each additional invention to be	
1201	86	2201	43	Independent claims in				l		examined (37 CFR § 1.129(b))	
1203	290	2203	145	Multiple dependent cla		1801	770	2801	385	Request for Continued Examination (RCE)	385.00
1204	86	2204	43	** Reissue independer over original patent ** Reissue claims in ex		1802	900	1802	900	Request for expedited examination of a design application	
1205	18	2205	9	and over original pa		Other fo	ee (specif	y)			
			SUB	TOTAL (2) (\$)		Reduce	d by Basi	c Filina	Fee Paid	SUBTOTAL (3)	85.00
"or nu	mber pre	viously paid,	if greate	r; For Reissues, see above		1	,	9		(4)3	

SUBMITTED BY				C	omplete (if applicable)	
Name (Print/Type)	George S. Blasiak	Registration No. (Attorney/Agent)	37,283	Telephone	(315) 425-9000	
Signature	M. S	Blean		Date	June 16, 2004	

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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